



**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 3,
TO 2009 SENATE BILL 25**

April 13, 2010 – Offered by Senator Olsen.

*** AUTHORS SUBJECT TO CHANGE ***

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 6: after “**(1)**” insert “(a)”.

3 **2.** Page 1, line 9: delete “state” and substitute “school board. The school board
4 shall schedule a hearing within 45 days after the complaint is filed.”.

5 **3.** Page 1, line 9: after that line insert:

6 “(b) At the hearing, the school board shall determine whether the use of the
7 race–based nickname, logo, mascot, or team name by the school board promotes
8 discrimination, pupil harassment, or stereotyping. The school board shall issue a
9 written decision within 45 days after the hearing and shall include the reason for its
10 decision.

11 (c) If the school board finds that the race–based nickname, logo, mascot, or team
12 name promotes discrimination, pupil harassment, or stereotyping, the school board

1 shall terminate its use of the nickname, logo, mascot, or team name within 12 months
2 after issuing the decision.

3 **(1d)** The school district resident under sub. (1) (a) may appeal the school
4 board's decision under sub. (1) (b) to the state".

5 **4.** Page 1, line 10: after "superintendent" insert:
6 "by submitting a written notice of appeal together with the written decision of
7 the school board to the state superintendent".

8 **5.** Page 1, line 10: delete "complainant" and substitute "school district
9 resident".

10 **6.** Page 3, line 7: delete the material beginning with "school board" and ending
11 with "evidence that" on line 8 and substitute "state superintendent shall determine
12 whether".

13 **7.** Page 3, line 9: delete "does not promote" and substitute "promotes".

14 **8.** Page 3, line 12: delete "(1)" and substitute "(1d)".

15 **9.** Page 3, line 19: delete "(1)" and substitute "(1d)".

16 **10.** Page 3, line 22: delete the material beginning with "school board" and
17 ending with "evidence that" on line 23 and substitute "state superintendent shall
18 determine whether".

19 **11.** Page 3, line 24: delete "does not promote" and substitute "promotes".

20 (END)